

## REMARKS

The rejection of claims 2 and 5 under 35 USC 102(b) as being anticipated by Yoshida et al (USP 5,764,610) is respectfully traversed.

Applicant has proposed an amendment to claims 2 and 5 based upon the Examiner's statements on page 3 of the Office Communication that the previous amendment includes an argument drawn to the use of a "directory name" identifying the logical format for playback speed control as well as for disc type determination which is not claimed or supported in the claimed invention. The amendment to claims 2 and 5 are now believed to clearly address this point. More specifically the directory information reading unit reads directory information recorded by a file system of ISO9660 or UDF. The amendment is directly taught and supported in the description on page 9 lines 6-11 as well as on page 11 line 26 and on page 12 line 18 of the description respectively. It should be understood that there is a difference known to those skilled in the art between "a logical format" and a "physical format." A "physical format" constitutes a physical medium such as DVD, DVD-R, CD, CD-R or the like which is discussed in the cited reference Yoshida in relation to a media classification whereas, in contrast, "a logical format" refers to the data structure or the contents recorded in the file structure. The difference between the DVD-Rom and the DVD-Video is a difference in logical format and is not a physical format difference.

Claim 2, as amended, clearly indicates that the directory information reading unit reads directory information recorded by a file system of ISO9660 or UDF (Universal Disc Format). Moreover, the playback speed control unit adjusts the playback speed of the loaded DVD when it is determined that a directory name other than the designated directory name is not recorded using the second determining unit. Should the Examiner find the word "designated" to be confusing it may be useful to add the words "peculiar to identification of DVD-Video" after the words "directory name." This is specifically supported in the description at page 10 lines 20-32 in connection with a DVD-Video directory structure. However applicant believes that the proposed claim 2, as amended, is clear to one skilled in the art and is totally different from that taught and suggested in Yoshida.

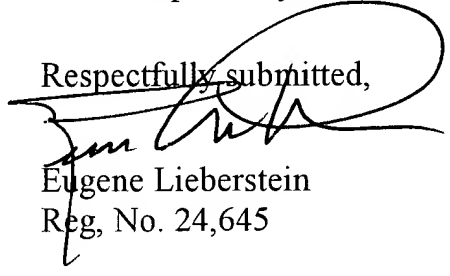
In response to a telephone call from applicant's attorney, the Examiner has indicated that applicant should submit this proposed amendment by facsimile for the Examiner to consider and that it may not be necessary for the Examiner to conduct a telephone interview with applicant if the Examiner finds the language to be acceptable. Applicant otherwise invites the Examiner to telephone the undersigned attorney at (212) 278-1307 if a further discussion of claim language is considered necessary to expedite allowance of the application.

Claim 5 has been amended in a manner similar to the amendment of claim 2 and should be allowable over the cited reference Yoshida for the same reasons as given above.

Claims 1,3,4 and 5 stand allowed.

Reconsideration and allowance of claims 1-6 is respectfully solicited.

Respectfully submitted,

  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313 on October <sup>24</sup>27, 2005.

Signed:



Dated:

10/24/05